



NEWS RELEASE
*Office of the
United States Attorney
for the
District of Nebraska*
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June 11, 2010

United States Attorney Deborah R. Gilg and the Lincoln Police Department, the Lancaster County Sheriff's Department, and the Lancaster County Attorney's Office announce the following information for the attention of the media:

Event Triggering this Release:

On June 11, 2010, a Lincoln man was sentenced to 30 years and five months, (365 months), in prison for conspiracy to distribute methamphetamine in the Lincoln area over an approximate 2 and ½ year period. Jose Avalos Banderas was found responsible for the distribution of between five kilograms (11 pounds) and 15 kilograms (33 pounds) of methamphetamine. Evidence presented at trial included the testimony of a number of witnesses who had been involved with Avalos Banderas in the distribution of methamphetamine and a recorded undercover purchase of methamphetamine by an undercover Lincoln Police officer which involved Avalos Banderas and three other persons. At the sentencing hearing, the Court heard testimony about threatening comments made by Banderas, during his trial, to persons who testified against him. As a result, Banderas received a sentencing enhancement for obstruction of justice. Following the prison term, Banderas will serve five years on supervised release. He was also ordered to pay a \$100 special assessment.

Name of Defendant: Jose Manuel Avalos Banderas

AKA: Jose Avalos, Gallo (pronounced GUY-oh)

Age: 24

City of residence: Lincoln

Crime(s) Charged and Potential Penalty (A CHARGE is merely an accusation and every defendant is presumed innocent until and unless proven guilty): Conspiracy to distribute and possess with the intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 846. The possible penalty is not less than 10 years nor more than life imprisonment and a fine of up to \$4,000,000. Following any term of imprisonment, there would be a term of supervised release of not less than five years.

Specific Location of Alleged Crime: Lincoln

Location of Arrest: Lincoln

Alleged Dollar Loss/Type and Quantity of Drug: Avalos Banderas was found responsible for the distribution of at least five kilograms (11 pounds) but less than 15 kilograms (33 pounds) of methamphetamine.

Others Charged in Same Scheme: none

Relevant Dates:

Date of Alleged Crime: Between on or about December 1, 2006, and on or about May 31, 2009

Federal Arrest Date: November 3, 2009

Date Complaint Issued:

Indictment Returned Date: October 21, 2009

Initial Appearance Date: November 3, 2009

Plea or Trial and Date(s): Trial began on January 4, 2010, and ended on January 6, 2010. A verdict of guilty was returned on January 6, 2010.

Sentencing Date: June 11, 2010

Next Court Hearing Type and Date:

Assigned Magistrate Judge:

Held without Bond, or Released from Custody: held without bond since November 3, 2009

In Continuous Custody Since: November 3, 2009

Assigned District Court Judge: The Honorable Richard G. Kopf

Initials of Assigned AUSA/Preparer of THIS Release: SEF